REMARKS

Applicants respectfully request that the Amendment After Final Action be admitted under 37 C.F.R. § 1.116.

Applicants submit that this amendment presents claims in better form for consideration on appeal. Applicants submit that thus there is a good and sufficient reason why this amendment is necessary, why this amendment was not earlier presented, and why this amendment should be admitted now. Furthermore, Applicants believe that consideration if this amendment could lead to favorable action that would remove one or more issues for appeal.

Claims 1-17 stand rejected under 35 U.S.C. §103(a) as being unpatentable over European Patent Application No. 0 520 459 A2 to Flynn et al. (Flynn).

35 U.S.C. § 103 (a) Rejections

Claims 1-17 were rejected under 35 U.S.C. § 103 (a) as being unpatentable over European Patent Application No. 0 520 459 A2 to Flynn et al. (Flynn). Applicants respectfully submit that Flynn fails to teach or suggest the present invention as claimed.

In the Office Action, it is stated that

As per claims 1, 5, and 9 Flynn substantially teaches a method of updating a message from a first version to an upgraded version by chaining through intermediate versions as claimed, comprises receiving an update message having a first version format (thus, earlier versions of index entries indicate changes that were made to the set of first identification tags, which is

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readable as receiving an update message having a first version format) (see col. 6, lines 3-5). But, Flynn does not explicitly indicate the step of repeatedly generating a revised update message having a next most recent version format based on the update message until a final update message having an upgraded version format is generated. However, Flynn implicitly indicates step of the set of all first identification tags for information objects which had the descriptor assigned to them during indexing is logically stored with that index entry, this set of first identification tags is versioned, the latest version is stored completely as a set of first identification tags; which is readable as repeatedly generating a revised update message having a next most recent version format based on the update message until a final update message having an upgraded version format is generated (see cols. 1 and 2, lines 56-58 and 1-3). Also, in columns 4 and 15; lines 1 through 5; and 42 through 49, Flynn teaches the step of the delta changes are encoded representations of the changes that are used to generate an older version of an information object or index entry from the latest version; and teaches the prior field/value pair moved from the latest version of the object to the prior version, the object id is then removed from the latest version of the set index entries for the modified field/value pair was removed. Further, Flynn teaches another approach is to store the version together in which case versions after the original information object may only need to be represented by their difference from the previous version. Thus, it would have been obvious to a person of ordinary in the art at time the invention was made to modify the teachings of Flynn with the step of repeatedly generating a revised update message having a next most recent version format based on the update message until a final update message having an upgraded version format is generated. This modification would allow the teachings of Flynn to provide a user with an historical perspective into database of information objects through an efficient method and apparatus for versioning information objects stored in a database as well as an index representative of the information objects (see col. 3, lines 32-37).

(*See* Office Action, pages 4-5). Applicants respectfully disagree for the following

reasons.

Independent claim 1 recites a method comprising, *inter alia*,

"<u>receiving an update message</u> having a first version format"

(Emphasis added).

Independent claim 5 recites an article comprising a computer readable medium having instructions stored thereon, which when executed, causes, *inter alia*,

"<u>receipt of an update message</u> having a first version format"

(Emphasis added).

Independent claim 9 recites an apparatus comprising, *inter alia*,

"<u>means for receiving an update message</u> having a first version format"

(Emphasis added).

Finally, independent claim 13 recites an apparatus comprising, *inter alia*,

"a network switching device <u>to receive an update message</u> having a first version format" (Emphasis added).

In contrast, Flynn fails to teach or suggest receipt of an update message having a first version format, as claimed in independent claims 1, 5, 9, and 13. Looking at the cited reference, Flynn discloses a method and apparatus for providing a historical perspective into a database of information objects through an efficient method and apparatus for versioning information objects stored in a database as well as an index representative of the information objects. *See*

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Abstract. In the citation referenced by the Examiner, specifically at col. 6, lines 3-5, Flynn discloses that

> Earlier versions of index entries indicate changes that were
>
> made to the set of first identification tags, at particular delta
>
> times; these are appended to the latest set of first identification
>
> tags in descending version order.

See Flynn, col. 6, lines 3-7).

In other words, Flynn stores changes made to a database by applying a two-tier identification tag system. The identification tags are used by an indexing system to answer queries about earlier versions of the database.
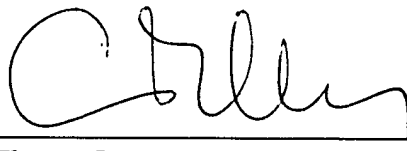
There is no teaching or suggestion in Flynn of receipt of an update message having a first version format. Flynn is only concerned with employing identification tags as unique identifiers for each one of the information objects and for different versions of the information objects, and the cited paragraph illustrates just that. In contrast, independent claims 1, 5, 9, and 13 claim such receipt of an update message having a first version format. Furthermore, Applicants respectfully submit that Flynn also fails to teach or suggest repeated generation of a revised update message having a next most recent version format based on the update message until a final update message having an upgraded version format is generated, as claimed in independent claims 1, 5, 9, and 13.

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As a result, Applicants respectfully submit that independent claims 1, 5, 9, and 13 are distinguishable over Flynn and are in condition of allowance. Claims 2-4, 6-8, 10-12, and 14-17, dependent directly or indirectly from independent claims 1, 5, 9, and 13, respectively, are also distinguishable over Flynn and should be allowed at least for the same reasons as stated above. Thus, in light of the above arguments, Applicants respectfully request withdrawal of the rejection and allowance of claims 1-17.

If the Examiner believes a telephone interview would expedite the prosecution of this application, the Examiner is invited to contact Florin Corie at (408) 947-8200 x206. If there are any additional charges, please charge them to Deposit Account No. 02-2666.

Respectfully submitted,

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Dated: June 17, 2002

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